

LETTER SENT TO

THE HONOURABLE JOHN MUNRO

MINISTER,

DEPARTMENT OF INDIAN AND NORTHERN AFFAIRS.

National Indian Brotherhood

President Del Riley.

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NATIONAL INDIAN BROTHERHOOD

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October 6, 1981

The Honourable John Munro,
Minister,
Department of Indian and Northern Affairs,
Room 407,
Confederation Building,
OTTAWA, Ontario.

Dear Mr. Munro:

The National Indian Brotherhood and the Provincial/Territorial Member Organizations accepted the invitation extended by the Education Branch of the Department of Indian and Northern Affairs on August 29, 1980, to attend a workshop with the Regional Supervisors of Continuing Education "to plan for consultation and changes to increase the effectiveness of the Post-Secondary Education Assistance Program" so that the "productivity of the program will be enhanced to the benefit of Indian students and trainees."

With this goal as an objective, the National Indian Brotherhood and Provincial/Territorial Member Organizations agreed to participate in the process by presenting a draft proposal of revisions to the policy on Continuing Education.

The proposal of the Education Committee of the National Indian Brotherhood submitted to you on March 11, 1981 represents in consolidated form a consensus achieved by the consultative process which you described as a "model".

Upon receipt of the National Indian Brotherhood proposal on Continuing Education Support, the Education Branch responded with several drafts of the segment dealing with Post-Secondary education and submitted these for our analysis with the understanding that we would do so only that they could not be properly evaluated if excluded from the total policy on Continuing Education.

The final draft of the Post-Secondary segment is now before the Program Management Committee of the Indian and Inuit Affairs

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Branch. This draft excludes for the most part those educational practical applications of the fundamental principles which are the basis of the National Indian Brotherhood proposal.

We protest the fact that the National Indian Brotherhood and the Provincial/Territorial Organizations, in good faith, entered into a consultative process with the Education Branch at their invitation, ostensibly to plan the increased "effectiveness" and "productivity" of the Continuing Education Program for the enhanced benefit of Indian students and trainees, while in fact it was a cruel ruse of the Department to have the Indian people give tacit approval, under the guise of consultation, to the actual objective of justifying the imposition of restrictive measures reflective of financial cutbacks in the financial responsibility to Indians for post-secondary aspects of education.

Consultation, as Indians understand its purpose, as do non-Indians of the free world, is an aspect of the democratic process to reach a consensual resolution of disparate interests and opinions.

The Education Branch in this instance has used consultation as a subterfuge to subvert the democratic process and as a pretext while it imposes its will on the Indian people perpetuating the intolerable paternalism of the past.

A. The Entitlement to Education as an Aboriginal Right

The proposal of the Education Committee of the National Indian Brotherhood on Continuing Education Support has as its primary fundamental the fact that the Crown is legally obligated to provide education to all Registered Canadian Indians. This entitlement entails the acquisition of a full education at all levels with the full financial support of the Crown and not its mere assistance.

The financial aspects of this entitlement cannot be based on any educational and training assistance schedule of rates arbitrarily chosen by the Department of Indian Affairs from some other departmental program within the Canadian government such as that of Manpower Training or the Canada Student Loan Program or some other, and used as a referent to calculate its obligation for financial educational support to Indians.

Neither can educational support be based on individual or collective need within the context of inequality of vocational opportunity in comparison to the dominant society. Nor can it be calculated from a Treasury Board appropriation in "recognition of the exceptional socio-economic condition of Canadian Registered Indians and Inuit" and its "high priority discretionary" nature.

The obligation of the Crown to provide a full education to Indian people has no age equivalencies. In the contemporary civilized world, education is recognized as a right and among the principles that qualify education in both theory and practice is the recognition that education is a continuous process from birth until death. It can incorporate in its inception, the nursery and day-care centre, then progress to kindergarten, primary, secondary and post-secondary institutional forms, and end possibly with geriatric rehabilitation.

1) The Royal Proclamation of 1763

The National Indian Brotherhood and the Council of Chiefs insist that this right, among other entitlements, accrue to Indians by the recognition of aboriginal rights in the Royal Proclamation of 1763 which established the Crown's trust relationship with Indians as guarantor of these rights.

2) The British North America Act

This trusteeship of the Crown for Indian rights was reaffirmed within the terms of the British North America Act. It has never been legally rescinded nor repealed and exists as a mandatory obligation. The rights of Indians to education was further reinforced by precedences and conventions of Common Law which have their origins in Franco-Indian relationships and those first established during the reign of Queen Anne.

3) Indian Act

The Indian Acts were attempts to give concrete reality to this obligation of the Crown to Indian entitlements ensuing from the recognition of aboriginal rights. The majority of the terms of the Acts in the 19th century reveal a great preoccupation by the Canadian government with Indians' land and legal provisions to facilitate wresting it from Indians by cessation of aboriginal claim and occupancy.

Those sections of the Acts on Indian education reflect the moral and legal quandary that Euro-Canadians were in as they floundered in coming to terms with the problem of what to do with the Indians who for the most part would not assimilate nor vanish.

As are other sections of the Act, those on education are anachronisms and in vestigious forms, survivals

of the social and cultural racism inherent in colonialism of the 19th and 20th century when Euro-Canadians only contemplated the future of Indians in terms of their demise by assimilation on the one hand, and the alienation of their lands on the other.

Provisions in the Indian Act for Indian education are enunciated in an ambiguous manner in order to circumvent the Crown's obligation for Indian education by making it's nature discretionary.

4) Indian Control of Indian Education

The right of the Canadian Registered Indians to a full education was reaffirmed in 1973 by the joint policy statement by the Department of Indian and Northern Affairs and the National Indian Brotherhood entitled Indian Control of Indian Education.

The Department of Indian Affairs in this policy committed itself to the financial responsibility of providing a full education to Registered Canadian Indians on and off reserves. It was also a commitment by the Department to recognize a basic educational fundamental, that for maximization of productivity and efficiency, the educational process and content must emit from parental responsibility and local authority. The principles of this policy are also basic tenets within the National Indian Brotherhood proposal on Continuing Education Support.

B. Rationale for the Comprehensive Approach to the Continuing Education Program

The Education Committee of the National Indian Brotherhood believe that maximal efficiency in the utilization of funds appropriated for continuing education, the administration structures for service/delivery must be minimal and adaptive to Indian Control by Indian governments. This is best accomplished by not unnecessarily subdividing the whole into components with its own administrative personnel, unique structures and exclusive guidelines. By doing so programs become involuted, each administratively becoming overly specialized diverting money and effort away from the delivery of services to the target group.

It is our belief that to divide the Continuing Education Support Program into Occupational Skills Training, Post-Secondary and Adult Education is administratively unnecessary and can only perpetuate and serve bureaucracy.

Mindful of the eventual transference of control to Indians for the responsibility of educational planning, development and delivery, the Department must avoid implanting lethal factors prior to the relinquishment of control such as insistence on the inclusion of complex administrative structures and guidelines that would preclude success and efficiency at the local level.

C. The Post-Secondary Education Assistance Program Draft of the Education Branch

In August, the Education Branch presented to the National Indian Brotherhood their alternative in draft form of the Post-Secondary Education Assistance Program component of the Continuing Education Support Program for our analysis and feedback. We consented to do so as a continuance of the consultative process and with the understanding that the position of the National Indian Brotherhood in its proposal was non-negotiable in that it has been approved by the Executive Council of the National Indian Brotherhood. It was mutually also understood that only for sake of efficiency and to facilitate analysis and discussion, we would sub-divide the policy on Continuing Education Support Program into its three relative components and that by doing so we did not concur with belief of the Branch that each component was administratively unique to be separately submitted to senior officials for approval.

That the component of this policy dealing with Post-Secondary Education Assistance Program has been forwarded to its Director General of Social Development for presentation to the Program Management Committee and senior management without even discussing at this point the other two components of Occupational Skills and Adult Education is a manifestation of administrative duplicity, and we insist that the processes of presentation to senior management be stopped and that the program be forwarded as a comprehensive whole rather than in segments.

The education personnel of the National Indian Brotherhood in analyzing the final draft of the Department's Post-Secondary Education Support Program were guided by the four basic principles which we deem essential components of any effective policy for Indian Continuing Education Support. They are:

- 1) the responsibility of the Crown to provide a complete education to Registered Canadian Indians.
- 2) the principles within the policy of Indian Control of Indian Education.
- 3) academic freedom of choice.

- 4) individual freedoms.
- 5) the diminuation of governmental paternalism.

In Annex I, the comparison of the draft of the Education Branch and the proposal of the National Indian Brotherhood is done so within the context of these five principles.

It is apparent that the basic parameters within which the Department of Indian Affairs proposal was formulated are:

- 1) oblique approaches to the recognition of native entitlement to a full education;
- 2) curtailment of student service;
- 3) the imposition of restrictive measures;
- 4) a justification and rationalization of financial cutbacks in terms of (3) and (4).

The contents of Annex III are illustrative of these financial cutbacks. From 1975 - 1980 the number of post-secondary students have increased by 80% from 2,500 to 4,500. Concomitantly, post-secondary allowances expenditures increased from 4,174,806 to 12,476,600 or by 200%. Student support has not increased by 200%. Inflation and administrative costs account for much of this figure. Meanwhile the total 1979 - 1980 expenditure of education as a percentage of that of the total Indian and Inuit Affairs Program expenditure has decreased since 1978 - 1979 by 8.3% and since 1970 by 12.8%. Administrative increases have been supported by the diversion of funds from and cutbacks in the Education Branch.

Post-Graduate Student Assistance

Last year there were four students enrolled in the Ph.D. level program and thirty-five in the Master level for a total of thirty-nine. The comparative relative annual support for the number of Post-Graduate students using Research Council of Canada student assistance rates and that of the Department of Indian and Inuit Affairs is:

Research Council Rates

Ph.D.	- 4 x 12,000	\$ 48,000.
Masters	-35 x 7,860	\$275,000.
		<u>\$323,000.</u>

By Department of Indian and Inuit Affairs schedules using as base a single student at a university in Toronto Masters level:

Tuition	\$ 933.00	
Incentive	750.00	
Books & Supplies	300.00	
Travel Allowances	240.00	
Training Allowances	3,500.00	
	<u>\$5,723.00</u>	x 35 students - \$200,305.00

By Ph.D. level:

Tuition	\$1,030.00	
Incentive	1,500.00	
Training Allowance	3,500.00	
Travel Allowances	240.00	
Books & Supplies	500.00	
	<u>\$6,770.00</u>	x 4 students - \$ 27,080.00

Approximate total of \$227,385.00
Post-Graduate Student
support in 1980-1981.

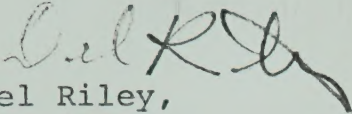
In addition to justification of financial cutbacks in the Post-Secondary Education Assistance Program, the restrictions, ambiguities and terms of the final draft are reflective of the intellectual modus operandi underlying the approach of the Education Branch to Indian education.

The methodology is to proceed from an internalized pervasive negative stereotype of Indians and to rationalize policy from a stock supply of extreme examples used to support the basic stereotype. This approach is perverse and is counter-productive. Policy formulated in such a manner becomes an inhibitory measure directed at a few possibilities rather than an aid to fulfill the needs and aspirations of the many. It only serves to reinforce both the siege mentality that students assume when dealing with the Department, and it also reinforces the negative stereotypes of themselves as well as the dominant society.

Policies conceived in this manner in terms of administrative usefulness and functionalism are dysfunctional and are not conducive aids for the acquisition of education by Indians.

Last autumn the National Indian Brotherhood was assured that consultation (even as it is implemented by the Department) would reach its logical conclusion in that National Indian Brotherhood personnel would participate in the decisions of Senior Management on the contents of the final draft forwarded to Treasury Board.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Del Riley', with a stylized flourish at the end.

Del Riley,
President.

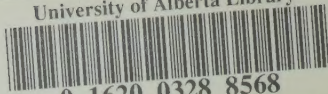
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